Case: 09-6320 Document: 00619026188 Filed: 02/11/2010 Page: 1

UNITED STATES COURT OF APPEALS

FOR THE SIXTH CIRCUIT

Leonard Green Clerk 100 EAST FIFTH STREET, ROOM 540 POTTER STEWART U.S. COURTHOUSE CINCINNATI, OHIO 45202-3988

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Filed: February 11, 2010

Mr. John S. Golwen Bass, Berry & Sims 100 Peabody Place Suite 900 Memphis, TN 38103

Mr. Fred C Statum III Manier & Herod 150 Fourth Avenue, N. Suite 2200 One Nashville Place Nashville, TN 37219

Re: Case No. 09-6320, Loeb Properties, Inc. v. Federal Insurance Company Originating Case No.: 08-02093

Dear Sir or Madam,

The Court issued the enclosed Order today in this case.

Sincerely yours,

s/Teresa Mack Mediation Administrator Direct Dial No.

cc: Mr. Thomas M. Gould

Enclosure

No mandate to issue

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Case No. 09-6320

UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

ORDER

LOEB PROPERTIES, INC.,

Plaintiff - Appellant

v.

FEDERAL INSURANCE COMPANY,

Defendant - Appellee

In accordance with Rule 33(d), Rules of the Sixth Circuit, and upon consideration of the parties' stipulation to dismiss,

It is **ORDERED** that the case is dismissed pursuant to 42(b), Federal Rules of Appellate Procedure.

> ENTERED PURSUANT TO RULE 33(d), **RULES OF THE SIXTH CIRCUIT** :

Leonard Green, Clerk

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Issued: February 11, 2010